

# **LICENSING AND APPEALS COMMITTEE**

**13 JUNE 2017**

Present: Councillor D A Burnett, Chair

Councillors: E H Atherton	J C Patrick
D Bagshaw	M E Plackett
M J Crow	M Radulovic MBE
T A Cullen	P D Simpson
W J Longdon	A W G A Stockwell
R D MacRae	

An apology for absence was received from Councillor K E Rigby.

1. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

2. **MINUTES**

The minutes of the meeting held on 16 May 2017 were confirmed as a correct record.

3. **LICENSING TRAINING**

The Licensing Manager gave a presentation appraising members of all aspects of the Council's licensing functions and the Senior Solicitor advised the Committee in accordance with the Rules of Natural Justice, the Seven Principles of Public Life and members' interests.

Councillors Crow, MacRae and Radulovic did not attend the training presentation.

4. **RESPONSE TO THE CONSULTATION ON THE COUNCIL'S HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY**

The Committee was advised of the results of the consultation on the new Hackney Carriage and Private Hire Licensing Policy, having been circulated with the Schedule of Responses prior to the meeting.

In relation to the Convictions and Fitness Policy, in view of the county-wide impact of the Policy, the Council's legal team had suggested that the policy be revisited at the Nottinghamshire Licensing Group (NALG) to maintain the level of commonality across the county. NALG was due to meet at Broxtowe on 7

July 2017 when the policy would be on the agenda. The revised policy would be brought back to the Licensing and Appeals Committee for approval.

**RESOLVED that the revised Hackney Carriage and Private Hire Licensing Policy be approved for adoption, subject to delegation of any minor amendments to be made by the Head of Public Protection in consultation with the Chair of the Licensing and Appeals Committee.**

5. EXCLUSION OF PUBLIC AND PRESS

**RESOLVED that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1, 2, 3 and 7 of Schedule 12A of the Act.**

6. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976  
HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE

The Committee noted the hearing procedure, with particular reference to the Council's policy, natural justice and the code of conduct.

Members considered the representations made by the applicant, who appeared in person, the Council's licensing representative, the relevant legislation and the Council's Licensing Policy.

**RESOLVED that the applicant is a fit and proper person to hold a hackney carriage/private hire driver's licence and the application be granted.**

7. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976  
TOWN POLICE CLAUSES ACT 1976 – HACKNEY CARRIAGE/  
PRIVATE HIRE VEHICLES

The Committee noted the hearing procedure, with particular reference to the Council's policy, natural justice and the code of conduct.

The Council had been approached with a proposal to licence Electric Tricycles (Tuk Tuks). As these fall outside the current specification it was considered appropriate that members determine the matter. The applicant attended the meeting to speak in support of his application and a vehicle was provided for members' viewing and consideration.

Members were not satisfied that the vehicles were safe and suitable to be licensed as a hackney carriage or private hire vehicle since the application fell outside of the Council's specification relating to the licensing of vehicles. However, the Committee was minded to be supportive of the application in

principle, subject to the approval of relevant policy guidelines relating to the licensing of Tuk Tuks as hackney carriage/private hire vehicles.

**RESOLVED to defer the decision to grant/refuse a vehicle licence for 'electrical tricycles' (Tuk Tuks) subject to the approval of relevant policy guidelines relating to the licensing of Tuk Tuks as hackney carriage/private hire vehicles.**